



# County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://cao.co.la.ca.us>

DAVID E. JANSSEN  
Chief Administrative Officer

December 9, 2003

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE BRATHWAITE BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

To: Supervisor Don Knabe, Chair  
Supervisor Gloria Molina  
Supervisor Yvonne Brathwaite Burke  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: David E. Janssen  
Chief Administrative Officer

## UNFUNDED STATE MANDATES

During the October 14, 2003 meeting, your Board directed my office to compile a list of affected departments forced to implement unfunded mandates handed down by the State legislature and the net County cost of all nonessential State mandates, and report back within 15 days. Clarification of these instructions with the Fourth District determined that this motion was aimed at ascertaining information regarding mandates formerly funded by Senate Bill 90 (SB90) reimbursement. The information provided is in response to this instruction.

### State Mandated Programs

Under the California Government Code Section 17550, once it has been determined by the Commission on State Mandates that a program mandated by a legislative act or an executive order has resulted in additional costs for local government, the State shall, with certain exceptions, reimburse the local government for those costs. Additionally, if the State does not make provisions to cover the costs of acknowledged mandates, performance of these mandated functions becomes optional to the County. If under the latter circumstance, the County decides to continue the service, the County will not be reimbursed for the costs.

In recent State budget actions, some programs were deferred as noted in Exhibit A and other programs were suspended as noted in Exhibit B (no budgetary provisions were made).

### Deferred Programs

For FY 2001-02, County departments filed claims totaling \$50.9 million, of which reimbursement in the amount of \$20.0 million was received prior to the first deferral in

FY 2001-02 resulting in \$30.9 million as deferred and outstanding. However, the entire reimbursement incurred for mandated program costs for FY 2002-03 (estimated at \$55.8 million) and for FY 2003-04 (estimated at \$54.5) are deferred. Based upon this information, it is estimated that the State will owe Los Angeles County \$141.3 million at the close of FY 2003-04.

Exhibit A provides details for deferred programs, all of which are vital to the areas of healthcare, public safety or social services. Some examples of deferred programs which are vital to the County are Aids Testing, which requires County courts to test inmates sentenced for selected crimes; Sexually Violent Predators, which requires civil commitment procedures for the continued detention and treatment of sexually violent offenders following completion of a prison term for certain sex-related offenses; and Child Abduction and Recovery Program, which locates and recovers abducted children and prosecutes crimes involving child abduction.

In response to the County's obligation to perform mandated services for programs for which reimbursement has been deferred, and to meet the accounting requirement that the County's budget remain fiscally sound, the County established reserves or designations based on budgeted SB90 revenues in the amount of \$80.9 million for FY 2002-03 and FY 2003-04 combined.

### **Suspended Programs**

Previously mandated programs (Exhibit B) have also been suspended by the State, and the County is no longer obligated to perform these services. An estimated \$2.9 million in SB90 revenue will not be reimbursed in FY 2003-04 as a result of suspended mandates. In some instances, departments have been able to find alternate sources of funding and thus have been able to continue these programs. In other instances, programs have been discontinued, or where costs of running the programs were small, departments were able to continue the programs by absorbing the costs within their existing budgets. Thus the suspension of mandated programs has not resulted in any increase in net County cost. Budgetary changes associated with suspension of mandated programs were a part of the Board actions taken on September 16, 2003.

If you have any questions, please contact me or your staff may contact Jackie White of my staff at (213) 974-1155.

DEJ:DIL  
JW:VC:vyg

#### **Attachments**

c: Executive Officer, Board of Supervisors  
County Counsel  
Auditor-Controller

**SB90 STATE MANDATED DEFERRED PROGRAMS**

**EXHIBIT A**

<b>SB90 Program</b>	<b>Department</b>	<b>FY 03-04 Adopted Budget</b>	<b>FY 01-02 Actual Cost Deferred</b>	<b>FY 02-03 Estimated Mandated Cost</b>	<b>FY 03-04 Estimated Mandated Cost</b>	<b>Total Mandated Cost</b>
Mandated Reimbursement Process	AC-Accounting	361,000	127,729	375,730	394,517	897,976
Allocation of Property Tax Revenue:ERAF	(2) AC-Tax	-	(2,174)	24,888	26,132	48,846
Mandated Reimbursement Process	AC-Tax	-	890	2,255	2,368	5,513
		<b>361,000</b>	<b>126,445</b>	<b>402,873</b>	<b>423,017</b>	<b>952,335</b>
<b>Animal Adoptions (3)</b>	Animal Care & Control	-	311,323	342,455	-	653,778
Mandated Reimbursement Process	Animal Care & Control	-	9,548	24,196	25,406	59,150
		-	<b>320,871</b>	<b>366,651</b>	<b>25,406</b>	<b>712,928</b>
Mandated Reimbursement Process	Assessor	-	902	2,287	2,401	5,590
Sr Citizen Property Tax Postponement	Assessor	-	-	-	-	-
		-	<b>902</b>	<b>2,287</b>	<b>2,401</b>	<b>5,590</b>
Open Meetings Act	Board of Supervisors/CAO	-	139,304	217,226	-	356,530
		-	<b>139,304</b>	<b>217,226</b>	-	<b>356,530</b>
Open Meetings Act	Children & Family Serv.	-	5,393	5,932	-	11,325
Seriously and Emotionally Disturbed (Out of State)	Children & Family Serv.	4,963,000	6,055,584	6,661,142	6,994,199	19,710,925
		<b>4,963,000</b>	<b>6,060,977</b>	<b>6,667,074</b>	<b>6,994,199</b>	<b>19,722,250</b>
Coroner (SMAS)	Coroner	-	-	-	6,989	6,989
Mandated Reimbursement Process	Coroner	-	2,627	6,656	-	9,283
POST Training	Coroner	5,000	-	-	-	-
SID and Other Death/Autopsy Services	Coroner	270,000	60,667	200,000	210,000	470,667
<b>SIDs Contact by Local Health Officer (4)</b>	(2) Coroner	-	(1,593)	1,309	-	(284)
		<b>275,000</b>	<b>61,701</b>	<b>207,965</b>	<b>216,989</b>	<b>486,655</b>
Child Abduction	District Attorney	1,600,000	95,805	2,002,749	2,102,886	4,201,440
Developmentally Disabled Adults: Attorney's Fee	District Attorney	-	12,001	-	-	12,001
<b>Extended Commitment-Youth Authority (4)</b>	District Attorney	-	7,053	-	-	7,053
Mandated Reimbursement Process	District Attorney	-	6,213	15,744	16,531	38,488
Mentally Disorder Sex Off. Extended Commitment	District Attorney	-	101,316	137,175	144,034	382,525
Mentally Disorder Sex Offenders	(2) District Attorney	75,000	(9,874)	2,685	2,819	(4,370)
Not Guilty by Reason of Insanity	(2) District Attorney	21,000	(3,781)	34,735	36,472	67,426
Sexually Violent Predator	District Attorney	1,000,000	394,256	1,142,579	1,199,708	2,736,543
		<b>2,696,000</b>	<b>602,989</b>	<b>3,335,667</b>	<b>3,502,450</b>	<b>7,441,106</b>
Cancer Presumption Firefighters	Fire	69,000	364,185	213,919	224,615	802,719
Mandated Reimbursement Process	Fire	14,000	1,613	4,088	4,292	9,993
Pacific Beach Safety: Water Quality	Fire	4,000	2,773	3,347	3,514	9,634
<b>SIDS: Firefighters (4)</b>	Fire	34,000	-	2,906	3,051	5,957
<b>Very High Fire Hazard Severity Zone (4)</b>	Fire	18,000	-	19,315	20,281	39,596
		<b>139,000</b>	<b>368,571</b>	<b>243,575</b>	<b>255,753</b>	<b>867,899</b>

**SB90 STATE MANDATED DEFERRED PROGRAMS**

**EXHIBIT A**

<b>SB90 Program</b>	<b>Department</b>	<b>FY 03-04 Adopted Budget</b>	<b>FY 01-02 Actual Cost Deferred</b>	<b>FY 02-03 Estimated Mandated Cost</b>	<b>FY 03-04 Estimated Mandated Cost</b>	<b>Total Mandated Cost</b>
<b>Aids Testing (4)</b>	(2) Health Services	-	(19,170)	526,945	553,292	1,061,067
Mandated Reimbursement Process	Health Services	-	11,426	28,956	30,404	70,786
Open Meetings Act	Health Services	-	20,698	31,866	-	52,564
Pacific Beach Safety: Water Quality	Health Services	-	27,770	66,653	69,986	164,409
Perinatal Services	(2) Health Services	-	(12,302)	195,190	204,950	387,838
<b>SIDs Contact by Local Health Officer (4)</b>	(2) Health Services	-	(2,846)	24,419	-	21,573
		-	<b>25,576</b>	<b>874,029</b>	<b>858,632</b>	<b>1,758,237</b>
Handicapped Students	(1) Mental Health	17,644,000	10,679,122	22,701,500	23,836,575	57,217,197
Open Meetings Act	Mental Health	1,000	8,188	12,606	-	20,794
Seriously and Emotionally Disturbed (Out of State)	Mental Health	2,700,000	5,031,857	5,535,043	5,811,795	16,378,695
		<b>20,345,000</b>	<b>15,719,167</b>	<b>28,249,149</b>	<b>29,648,370</b>	<b>73,616,686</b>
<b>Child Abuse Treatment Services &amp; Autho &amp; Mgmt (4)</b>	Probation	-	60,600	66,660	-	127,260
Domestic Violence Treatment Svc Auth/Case Mgt	Probation	-	332,129	566,844	595,186	1,494,159
Mandated Reimbursement Process	Probation	-	1,333	3,378	3,547	8,258
Open Meetings Act	Probation	-	2,262	3,584	-	5,846
		-	<b>396,324</b>	<b>640,466</b>	<b>598,733</b>	<b>1,635,523</b>
Conservatorship: Developmentally Disabled Adults	Public Defender	24,000	-	-	-	-
Developmentally Disabled Adults: Attorney's Fee	Public Defender	30,000	3,587	31,349	32,916	67,852
Mandated Reimbursement Process	Public Defender	-	12,869	32,612	34,243	79,724
Mentally Disorder Sex Off. Extended Commitment	Public Defender	-	124,705	111,447	117,019	353,171
Mentally Disorder Sex Offenders	(2) Public Defender	20,000	(3,542)	2,845	2,987	2,290
Not Guilty by Reason of Insanity	(2) Public Defender	15,000	(3,288)	30,203	31,713	58,628
Crimes in Prison	Public Defender	16,000	-	-	-	-
Sexually Violent Predator	Public Defender	1,079,000	467,953	1,356,159	1,423,967	3,248,079
		<b>1,184,000</b>	<b>602,284</b>	<b>1,564,615</b>	<b>1,642,845</b>	<b>3,809,744</b>
Open Meetings Act	Public Works	-	1,124	1,236	-	2,360
		-	<b>1,124</b>	<b>1,236</b>	-	<b>2,360</b>
Mandated Reimbursement Process	Regional Planning	-	1,095	2,774	2,913	2,913
Open Meetings Act	Regional Planning	-	6,422	9,887	-	3,869
Regional Housing Need Determination	Regional Planning	-	657	6,708	7,043	23,352
Sr Citizen Property Tax Postponement	Regional Planning	-	-	-	-	7,365
		-	<b>8,174</b>	<b>19,369</b>	<b>9,956</b>	<b>37,499</b>
Absentee Ballots	(2) Registrar & Recorder	-	-	-	1,890,000	1,890,000
Mandated Reimbursement Process	Registrar & Recorder	1,989,000	(185,067)	1,800,000	16,900	1,631,833
Voters Registration	Registrar & Recorder	-	6,351	16,095	-	22,446
Permanent Absent Voter	Registrar & Recorder	-	98,337	174,000	182,700	455,037
		<b>1,989,000</b>	<b>(80,379)</b>	<b>1,990,095</b>	<b>2,089,600</b>	<b>3,999,316</b>

**SB90 STATE MANDATED DEFERRED PROGRAMS**

**EXHIBIT A**

<b>SB90 Program</b>	<b>Department</b>	<b>FY 03-04 Adopted Budget</b>	<b>FY 01-02 Actual Cost Deferred</b>	<b>FY 02-03 Estimated Mandated Cost</b>	<b>FY 03-04 Estimated Mandated Cost</b>	<b>Total Mandated Cost</b>
<b>Aids Testing (4)</b>	(2) Sheriff	-	(7,954)	218,651	229,584	440,281
Cancer Presumption-Peace Officers	Sheriff	-	1,796	372,486	391,110	765,392
Domestic Violence Arrest Policies and Standards	(2) Sheriff	-	(14,875)	385,503	404,778	775,406
Health Benefit for Survivor of Peace Officer	Sheriff	-	3,788	4,167	4,375	12,330
Mandated Reimbursement Process	Sheriff	-	55,151	87,720	92,106	234,977
Mentally Disorder Sex Offenders	(2) Sheriff	-	(5,437)	955	1,003	(3,479)
Not Guilty by Reason of Insanity	(2) Sheriff	-	(4,934)	45,331	47,598	87,995
Peace Officers Procedural Bill of Rights-POBAR	Sheriff	6,500,000	4,172,181	4,589,399	4,818,869	13,580,449
Prisoner Parental Rights	(2) Sheriff	-	(176,094)	729,510	765,986	1,319,402
Rape Victim Counseling Center Notices	Sheriff	-	18,806	46,976	49,325	115,107
<b>Sex Crime Confidentiality (4)</b>	Sheriff	-	44,954	49,449	51,921	146,324
<b>Sex Offender's Disclosure(Megan's Law) (4)</b>	Sheriff	-	1,776,594	1,954,252	2,051,965	5,782,811
Sexually Violent Predator	Sheriff	-	466,161	1,350,965	1,418,513	3,235,639
<b>Stolen Vehicle Notification (4)</b>	Sheriff	-	5,947	28,505	29,932	64,384
<b>Elder Abuse Training (4)</b>	Sheriff	-	71,373	-	-	71,373
Mentally Disorder Sex Off. Extended Commitment	Sheriff	-	191,434	210,577	221,106	623,117
		<b>6,500,000</b>	<b>6,598,891</b>	<b>10,074,446</b>	<b>10,578,171</b>	<b>27,251,508</b>
<b>Investment Reports (4)</b>	(2) Treasurer & Tax Collector	-	(76,984)	383,000	-	306,016
Sr Citizen Property Tax Postponement	Treasurer & Tax Collector	10,000	-	-	-	-
		<b>10,000</b>	<b>(76,984)</b>	<b>383,000</b>	<b>-</b>	<b>306,016</b>
Seismic Bridges Safety	Public Works			600,000	630,000	1,230,000
				<b>600,000</b>	<b>630,000</b>	<b>1,230,000</b>
<b>Total All SB90 Programs</b>		<b>38,462,000</b>	<b>30,875,937</b>	<b>55,839,723</b>	<b>57,476,522</b>	<b>144,192,182</b>
<b>Less: Suspended Programs</b>			-	-	<b>(2,940,026)</b>	<b>(2,940,026)</b>
<b>Total Mandated Cost Deferred</b>			<b>30,875,937</b>	<b>55,839,723</b>	<b>54,536,496</b>	<b>141,252,156</b>

- (1) The County is eligible to receive a proportionate share of \$69 million in (IDEA-Part B) funds to provide Handicapped Student Services for FY 2003-04.
- (2) The negative amounts associated with FY 2001-02 cost represent overpayment from the State. This is primarily due to the State reimbursing the County based on estimated SB90 claims. In some programs, actual cost (claims) are less than estimated cost (claims).
- (3) Represents SB90 Suspended Program in FY 2003-04 and Department will discontinue program.
- (4) Represents SB90 Suspended Programs in FY 2003-04 where departments will continue programs by absorbing the costs within their budgets by finding alternate sources of revenue.

SB90 STATE MANDATED DEFERRED PROGRAMS

EXHIBIT A

SB90 Program	Department	FY 03-04 Adopted Budget	FY 01-02 Actual Cost Deferred	FY 02-03 Estimated Mandated Cost	FY 03-04 Estimated Mandated Cost	Total Mandated Cost
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# SB90 SUSPENDED PROGRAMS

## EXHIBIT B

Program Title	Program Descriptions	Department	(1) Estimated Cost of Funding Suspended Programs in FY 2003-04
Inmate AIDS Testing (2)	Requires county courts to test inmates sentenced for selected crimes for HIV/AIDS and report findings to the State DHS.	Health Services	553,292
		Sheriff	229,584
Animal Adoption (1)	Extends the time an animal adoption agency holds a stray prior to authorization.	Animal Care & Control	
Child Abuse Treatment Services Authorization and Case Management (2)	Child abuse defendants must successfully complete no less than one year of a child abuser's treatment counseling program approved by the county probation departments.	Probation	
Elder Abuse, Law Enforcement Training (2)	Every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties is required to complete an elder and dependent adult abuse training course certified by POST within 18 month of assignment to field duties.	Sheriff	
Extended Commitment, Youth Authority (2)	Costs associated with extending the commitment of physically dangerous wards.	District Attorney	
Investment Reports (2)	This mandate requires the treasurer or chief fiscal officer of specified local agencies and school districts to render an annual statement of investment policy and quarterly report on investments, containing specified information to the legislative body and oversight committee.	TTC	
Sex Crime Confidentiality (2)	Notifies a person who alleges that he/she is a victim of a sex crime that their name will become part of a public record unless they request confidentiality, establishes a process for law enforcement officers to record requests for confidentiality.	Sheriff	51,921
Sex Offender: Disclosure of Law Enforcement Officers (Megan's Law) (2)	This mandate requires local law enforcement agencies to provide public access to certain information regarding sexual offenders living in the community.	Sheriff	2,051,965
SIDS Contact by Local Health Officers (2)	Requires the Controller to pay \$13 per each Local Health Officer contact with each custodian of a victim of SIDS to inform them of the nature and causes of the SIDS.	Coroner	
		Health Services	

# SB90 SUSPENDED PROGRAMS

## EXHIBIT B

Program Title	Program Descriptions	Department	(1) Estimated Cost of Funding Suspended Programs in FY 2003-04
<b>SIDS Training for Firefighters (2)</b>	Requires firefighters to complete a training course on sudden infant death syndrome as part of their basic training.	Fire	3,051
<b>Stolen Vehicle Notification (2)</b>	The Stolen Vehicle System is an on-line statewide centralized databases containing nearly 50,000 records of stolen vehicles, boats and airplanes.	Sheriff	29,932
<b>Very High Fire Hazard Severity Zone (2)</b>	Mandate requires local government to do the following:  1. Make available to the general public information contained in the State's recommendation identifying the areas as a "very high fire hazard severity zone". 2. Adopt an ordinance which designates the "zone" and describe the required maintenance standards. 3. Send additional notification of the maintenance requirements to the property owners and occupiers on an annual basis.	Fire	20,281
			<b>\$2,940,026</b>

(1) Represents SB90 Suspended Program in FY 2003-04 and Department will discontinue program.

(2) Represents SB90 Suspended Programs in FY 2003-04 where departments will continue programs by absorbing the costs within their budgets by finding alternate sources of revenue.